

LUD 5483.7 DIV (10316191)

REMARKS

Entry of this amendment is respectfully requested.

The specification has been amended to identify the appropriate SEQ ID NOS as requested by the Examiner at item 3 of the Office Action. A new abstract has also been provided.

Regarding the informalities of the specification identified at item 6 of the Office Action, the blank underlined spaces at page 28 have been filled. Applicants note that the handwritten entries were present in the original parent application. Additionally, a replacement page 17 is submitted herewith. The patent number at page 1, line 5 has also been corrected. No new matter is presented.

Claim 19 has also been amended to clarify that the amino acid sequence forms a complex with an HLA molecule.

The Examiner has rejected claims 19-22 as obvious over Valmori, et al. (J. Immunol. 160:1750-1758, February 1998) in view of Gilbert, et al. (Nature Biotech. 1997, 15:1280-1284) and U.S. Pat. No. 5,662,907. With respect to this rejection, Valmori, et al. was published less than one year prior to the priority date of April 16, 1998. Applicants submit herewith a declaration of the inventors made under 37 CFR 1.132 in accordance with In re Katz, 215 USPQ 14 (CCPA 1982), which establishes that Jean-Francois Fonteneau, Concepción Marañón Lizana, Nadine Gervois, Danielle Liénard, Donata Rimoldi, Victor Jongeneel, and Francine Jotereau (the other named authors of the Valmori, et al. paper) did not contribute to the inventive concept, and are not co-inventors of the present invention. Thus, according to In re Katz, the rejection cannot be maintained as a matter of law.

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Claims 19-22 were also rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-4 of U.S. Pat. No. 6,326,200 in view of Gilbert, et al. and U.S. Pat. No. 5,662,907. Applicants submit herewith a terminal disclaimer to U.S. Pat. No. 5,662,907, and request that this rejection be withdrawn.

Based on the foregoing, Applicants believe this application is in condition for allowance and request the same. Applicants believe no fee is required for filing this response. However, the Commissioner is hereby authorized to charge any fee due to Deposit Account No. 50-0624.

Respectfully submitted,

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